EAST COCALICO WATER & SEWER TOWNSHIP AUTHORITY

# BOARD MEETING MINUTES
# JULY 30, 2024

The regular, monthly meeting of the East Cocalico Township Authority (ECTA) was held on Tuesday, July 30, 2024 at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

Those in attendance were as follows:

| | |
|---|---|
| Members: | Daniel Becker, Samuel Weaver, Gerald DeBalko, Edward Nevling, J. Bradford Fichthorn, David Lutz, Richard Shober and Noah Zimmerman (Absent: June Kinback) |
| Solicitor: | Absent |
| Engineer: | Absent |
| ECTA Staff: | Scott Carl, Sr., Tyler Pannebecker, Lisa Shaw and Jodie Eberly |
| Visitors: | None |

Chairman Daniel Becker called the meeting to order at 7:00 p.m.

**MINUTES:** Minutes of the monthly meeting held on June 25, 2024 were approved as presented on motion by David Lutz, seconded by Edward Nevling, and carried unanimously.

**TREASURER'S REPORT (see attached):** Accountant Lisa Shaw reviewed the June 2024 financial reports. The reports were approved as presented subject to audit.

**MONTHLY CAPACITY REPORTS (see attached):** The June 2024 Monthly Capacity Reports were approved as presented on motion by Richard Shober, seconded by J. Bradford Fichthorn, and carried unanimously.

**EXECUTIVE DIRECTOR'S UPDATE:** A complete copy of the update is on file in the ECTA Office. Executive Director Scott Carl, Sr. discussed the following from his update:

WELL 10 (DENVER ROAD) TRICHLOROETHYLENE (TCE) TREATMENT PROJECT: Quarterly sampling was done on July 10, 2024, and test results indicated an exceedance. DEP was notified, and Well 10 was taken offline. Confirmational sampling was done on July 17, 2024, and test results were below the compliance limit. DEP was notified, and ECTA awaits further direction.

WELLS 4 & 12 ABANDONMENT: A Water Committee meeting was held on July 30, 2024 to review the letter received from Lester Zimmerman, the property owner at 2070 Kramer Mill Road, regarding the Wells 4 & 12 site easements, water use agreement, water usage, and request to drill a private well in the future. Per ECTA's Water Rates, Rules & Regulations, ECTA does not allow the drilling of private wells within ECTA's service area. Regardless, it is the Township that regulates whether private wells are permitted or not, and the Board of Supervisors are aware of ECTA's stance. The Board instructed Mr. Carl to re-evaluate the possibility of rehabilitating Wells 4 & 12 for ECTA's use.

- Gerald DeBalko made a motion to table any action regarding Lester Zimmerman's private well request until ECTA re-evaluates the possibility of rehabilitating Wells 4 & 12; seconded by Richard Shober; and carried unanimously.

MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT: Construction Progress Meeting No. 12 was held on July 16, 2024. The sewer main installation portion of the overall construction contract is estimated at 94% complete, and the water main installation portion is estimated at 97% complete. ECTA continues to update the status of the project on the website, and every customer

complaint/comment continues to be addressed. CDM Smith and Mr. Carl recommend payment of AH Moyer's Application for Payment No. 13 (Water Project) in the amount of $78,801.55 and Application for Payment No. 13 (Sewer Project) in the amount of $120,245.78. They are part of ECTA's July 30, 2024 invoices to be paid for approval at tonight's meeting.

STEVENS ROAD PENNDOT BRIDGE REPLACEMENT/WATER MAIN RELOCATION: CDM Smith's final as-built drawings remain outstanding.

STEVENS PUMPING STATION EXPANSION: CDM Smith's as-built drawings remain outstanding.

RE-PERMITTING WELL 2A: The fifth round of operational testing was completed on July 18, 2024, and the data was submitted to GeoServices for review.

WICU PROPOSED KALAS WAREHOUSE EXPANSION & INDUSTRIAL WAY/KURTZ ROAD WATER LINE LOOP: This project's submission remains on hold with ECTA until the private well and related issues are resolved. The Township has issued a plan approval letter with conditions that must be met, including satisfaction of ECTA requirements.

SOURCE WATER PROTECTION PROGRAM (SWP): Michael Galley continues to manage the overall SWP program. ECTA completed coordination efforts with the Township on their Wellhead Protection Land Use Questionnaire, which they have now issued.

PENNVEST FUNDING (MEADOWBROOK): ECTA submitted Request for Reimbursement No. 6 for Water in the amount of $12,478.00 and No. 6 for Sewer in the amount of $239,974.18. These requests were approved, and reimbursements totaling $252,452.18 were received on July 17, 2024.

KURTZ ROAD WATER MAIN REPLACEMENT PROJECT: Construction Progress Meeting No. 3 was held July 10, 2024. All ECTA and Entech preliminary punch list items issued at that meeting were completed, and a Certificate of Substantial Completion was issued on July 29, 2024 along with a "Final" punch list consisting of four (4) closeout items. Final paving work is expected to begin August 5, 2024, and last about one week. Entech and Mr. Carl recommended payment of RIII Construction Inc.'s Application for Payment No. 3 in the amount of $141,505.35. It is part of ECTA's July 30, 2024 invoices to be paid for approval at tonight's meeting.

ECTA EMPLOYEE ANNIVERSARIES: Tyler Pannebecker – 10 years on July 7, 2024, and Scott Carl, Sr. – four years on July 13, 2024.

PENNVEST PROGRAMMATIC FUNDING (KURTZ ROAD): ECTA submitted Request for Reimbursement No. 2 in the amount of $431,594.70. The request was approved, and ECTA received full reimbursement totaling $431,594.70 on July 16, 2024.

WELL F GROUNDWATER UNDER DIRECT INFLUENCE OF SURFACE WATER (GUDI) PROJECT: WATEK is approximately 75% complete with its 95% design/permit package to be submitted to DEP no later than the week of August 12, 2024. The pre-application meeting with PENNVEST was held on July 3, 2024. The PENNVEST application cut-off date is October 30, 2024 (assuming DEP permit is secured) for the January 22, 2025 PENNVEST Board meeting. ECTA will be requesting a Letter of No Prejudice to commence construction-related costs prior to settlement on the PENNVEST loan. ECTA would utilize its current general funds to pay for construction-related costs and then seek reimbursement for those funds with the PENNVEST loan proceeds. Mr. Carl presented a PENNVEST-required Reimbursement Resolution for the Letter of No Prejudice for Board approval.

- Gerald DeBalko made a motion to accept and execute Resolution No. 2024-07-30-01 declaring ECTA's official intent to reimburse general funds used for the construction of the Water Treatment Facility Upgrade Project with funds received from the Pennsylvania Infrastructure Investment Authority (PENNVEST), seconded by J. Bradford Fichthorn, and carried unanimously.

GRANT APPLICATIONS: Determination is not expected until early to late Fall 2024 on the three grant applications that ECTA submitted to the Pennsylvania Department of Community and Economic Development (DCED)'s Statewide Local Share Account program.

WATER TANK EVALUATIONS (TANK #1, TANK #2 & TANK #3): ECTA staff will address the maintenance/repair items within ECTA's capabilities. Enetch/MBA is currently working on cost estimates to address the remaining maintenance and repair items identified in the reports that are beyond ECTA's capabilities.

ENTECH ENGINEERING: Entech provided an Engineer's Report giving an update on the projects they are currently working on.

COCALICO SCHOOL DISTRICT FUEL SHARING CONTRACT: ECTA received the School District's "fully executed" 2024/2025 Contract on July 10, 2024. The fuel rate will be $2.3457/gallon.

COMMUNITY DEVELOPMENT UPDATE: 54 development/residential/non-residential projects are in the queue, with 23 being actively worked on in some phase of the project, four projects in the pre-warranty phase and nine projects in the warranty phase.

WATER COMMITTEE: A Water Committee meeting was held on July 30, 2024, to review the letter received from the property owner at 2070 Kramer Mill Road and to discuss the general status of ECTA's current and possible future water projects.

WATER TREATMENT PLANT (WTP) ROOF LEAK: There are two viable solutions being considered: 1) Construction of a metal siding façade over top of the existing split-face block wall or 2) Complete removal and replacement of the split-face block wall system. GSM Roofing's cost estimate for the metal siding façade is between $75,000 and $80,000. ECTA awaits GSM Roofing's cost estimate on the other option.

OPERATOR TRAINEE POSITION: ECTA's new employee, Seth Batdorf, started on July 15, 2024.

PLGIT INVESTMENTS: On July 9, 2024, ECTA conducted their quarterly review meeting with PLGIT representative Matt Conlin. ECTA's investments continue to perform well.

HAMMER CREEK HOLDINGS LLC (251 NORTH REAMSTOWN ROAD): A Developer's Agreement for a residential water and sanitary sewer project with Hammer Creek Holdings LLC, for their property at 251 North Reamstown Road, Denver, PA involving the extension of ECTA's existing water main from North Reamstown Road to serve two proposed subdivided properties on Lausch Road, was presented to the Board for their approval. Acceptance of this Agreement will allow this residential project to move forward with ECTA.

- Richard Shober made a motion to accept and execute the Developer's Agreement with Hammer Creek Holdings LLC for their property located at 251 North Reamstown Road, Denver, PA; seconded by Samuel Weaver; and carried unanimously.

WOODCREST RETREAT (225 WOODCREST DRIVE): An Administrative Escrow Agreement for Miscellaneous Projects, for a non-residential sanitary sewer project with Woodcrest Retreat for the extension of the privately-owned sanitary sewer system at 225 Woodcrest Drive, Ephrata, PA to serve additional camp amenities, was presented to the Board for their approval. Acceptance of this Agreement will allow this non-residential project to move forward with ECTA.

- Samuel Weaver made a motion to accept and execute the Administrative Escrow Agreement for Miscellaneous Projects with Woodcrest Retreat for their property located at 225 Woodcrest Drive, Ephrata, PA; seconded by Noah Zimmerman; and carried unanimously.

VOTING DELEGATE AT PMAA ANNUAL CONFERENCE: Chairman Becker will be attending the 2024 PMAA Annual Conference and Trade Show at the Hershey Lodge & Convention Center from September 15 to 18, 2024. The PMAA requires those wishing to vote at the Conference be elected by the Authority's Board members.

- David Lutz made a motion to appoint Daniel Becker as ECTA's voting delegate at the 2024 PMAA Annual Conference and Trade Show at the Hershey Lodge & Convention Center, seconded by Edward Nevling, and carried. Daniel Becker abstained from any discussion and voting.

**OPERATIONS & MAINTENANCE MANAGER'S UPDATE:** A complete copy of the update is on file in the ECTA Office. Operations & Maintenance Manager Tyler Pannebecker discussed the following from his update:

WATER LATERAL REPAIR: A leaking water lateral was repaired by ECTA at 76 North Reamstown Road on July 8, 2024.

WATER ACCOUNTING AND LOSS CONTROL REPORTS: Mr. Pannebecker presented the Water Accounting and Loss Control Reports for April 1, 2024 to June 30, 2024 as well as July 1, 2023 to June 30, 2024.

ADAMSTOWN WASTEWATER TREATMENT PLANT (WWTP): One of the two oxidation ditches at the Adamstown WWTP has failed. The new equipment to repair the ditch has been ordered, but it is being shipped from Mississippi and is expected to take 10 days to arrive. In case an emergency would arise, Adamstown has asked if ECTA would allow them to pump into ECTA's sanitary sewer system until the new equipment is installed. Per CDM Smith, ECTA could handle the additional sewage. If diverted to ECTA, it would be metered; and Adamstown would be responsible to pay for the additional sewage being pumped to Ephrata.

**ENGINEER'S UPDATE:** A complete copy of CDM Smith's update is on file in the ECTA Office. Engineer Adam Smith did not attend the meeting.

**SOLICITOR'S UPDATE:** Solicitor Lucy Dowd did not attend the meeting, and no update was provided.

**INVOICES (see attached):** Bills included on the July 30, 2024 ECTA invoice listing were approved for payment on motion by Samuel Weaver, seconded by Noah Zimmerman, and carried unanimously.

**NEW BUSINESS:**

MUNICIPAL LIENS: On behalf of Solicitor Dowd, Ms.Eberly presented to the Board a Resolution updating the attorney fee schedule for municipal liens which are sometimes filed by the Authority for unpaid water and/or sewer bills. ECTA can charge up to the amounts listed in the Resolution.

- Noah Zimmerman made a motion to approve Resolution No. 2024-07-30-02 updating a new attorney fee schedule for municipal liens; seconded by J. Bradford Fichthorn; and carried unanimously.

SANITARY SEWER RELIEF REQUEST: After being denied sanitary sewer relief by ECTA staff due to lack of evidence as to where the water was discharged, the property owner of 3 Oak Lane submitted a letter to the Board, to appeal that decision. The Board discussed this request; however, in accordance with the Rates, Rules and Regulations of the ECTA Sanitary Sewer System, since the customer could not prove by clear and convincing evidence that all water used was not discharged into the sanitary sewer system, the Board denied the request for relief.

- Noah Zimmerman made a motion to deny the sanitary sewer relief request for 3 Oak Lane, per the Rates, Rules and Regulations of the ECTA Sanitary Sewer System, and to remind the property owner they can have the water meter tested and/or establish a payment plan; seconded by Richard Shober; and carried unanimously.

Since there was no further business to come before the Board, Gerald DeBalko made a motion to adjourn the meeting at 8:11 p.m., seconded by Samuel Weaver, and carried unanimously.

**EXECUTIVE SESSION:** Chairman Becker called an Executive Session at 8:12 p.m. to discuss potential legal matters. At 8:37 p.m., Chairman Becker adjourned the Executive Session. No action was taken during the Executive Session.

Respectfully submitted,

Gerald A. DeBalko
Secretary

jae